

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: GENERIC PHARMACEUTICALS PRICING ANTITRUST LITIGATION
THIS DOCUMENT RELATES TO: <i>STATE ATTORNEYS GENERAL LITIGATION</i>

MDL 2724
16-md-2724

HON. CYNTHIA M. RUFÉ

Civil Action No.

17-3768

**DEFENDANTS' JOINT MOTION TO DISMISS
PLAINTIFFS' FEDERAL LAW CLAIMS FOR LACK OF STANDING**

Pursuant to Fed. R. Civ. P. 12(b)(6), the Defendants identified herein hereby move to dismiss the following with prejudice:

1. The States' claim for disgorgement under federal law, *see* State CAC Prayer for Relief ¶ D; and
2. The States' claim for relief as *parens patriae* under federal law, *see* State CAC ¶¶ 17, 22, 467.

In support of this Motion, Defendants rely upon Defendants' Memorandum of Law in Support of Their Joint Motion to Dismiss Plaintiffs' Federal Law Claims for Lack of Standing, which is being filed contemporaneously with this Motion.

For all the reasons set forth therein, the States' above-mentioned claims under federal law should be dismissed with prejudice.

Dated: February 21, 2019

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify on this 21st day of February 2019, a true and correct copy of the foregoing was filed electronically and is available for viewing and downloading from the Court's ECF System. Notice of this filing will be sent to all counsel of record by operation of the ECF System.

/s/ Benjamin F. Holt

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